

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

HOWARD GRIBBIN,)	
)	
Petitioner,)	
)	
v.)	Docket No. 1:22-cv-00335-NT
)	
STATE OF MAINE,)	
)	
Respondent.)	

**ORDER AFFIRMING THE RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On November 7, 2022, the United States Magistrate Judge filed with the Court, with copies to the Petitioner, his Recommended Decision After Preliminary Review of Petition for Writ of Habeas Corpus (ECF No. 4). The Petitioner filed an objection to the Recommended Decision on November 17, 2022 (ECF No. 5). I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the Magistrate Judge for the reasons set forth in the Recommended Decision and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Petitioner's objection is **OVERRULED** and that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**.

The Petitioner's 28 U.S.C. § 2254 petition (ECF No. 1) is hereby **DISMISSED** without prejudice.

It is further **ORDERED** that no certificate of appealability should issue in the event the Petitioner files a notice of appeal, because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 9th day of December, 2022.